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Counsel to Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:	Chapter 11
CIRCUIT CITY STORES, INC., <u>et al.</u> , ¹	Case No. 08-35653-KRH
Debtors.	(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON JULY 20, 2021 AT 11:00 A.M. (EASTERN)**

Set forth below are the matters scheduled to be heard before The Honorable Kevin R. Huennekens, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of Virginia, U.S. Courthouse, 701 East Broad Street, Room 5000, Richmond, Virginia 23219-1888, on July 20, 2021, beginning at 11:00 a.m. Eastern.

The Hearing will be held by remote video conference and interested parties may participate in the Hearing by registering through the following Zoom registration link:

<https://www.zoomgov.com/meeting/register/vJItceygzqzgvHa9oDXDW4W6HiJy0I8vpFPM>

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), PRAHS, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. was 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address was 9950 Mayland Drive, Richmond, Virginia 23233 and is currently 200 Westgate Parkway, Suite 100, Richmond, Virginia 23233.

Listen-only conference line:
Dial: 1-866-590-5055
Access Code: 4377075
Security Code: 72021

1. Motion to Extend Time (Motion of the Liquidating Trustee for Entry of an Order Further Extending Term of Liquidating Trust) filed by Lynn L. Tavenner of Tavenner & Beran, PLC on behalf of Circuit City Stores, Inc. Liquidating Trust. (Tavenner, Lynn) (Filed: 06/28/2021) (Docket No. 14302).

Related Documents:

- a. Notice of Motion and Notice of Hearing (Re: related document(s) 14302 Motion to Extend Time filed by Circuit City Stores, Inc. Liquidating Trust) filed by Lynn L. Tavenner of Tavenner & Beran, PLC on behalf of Circuit City Stores, Inc. Liquidating Trust. Hearing scheduled for 07/20/2021 at 11:00 AM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Tavenner, Lynn) (Filed: 06/28/2021) (Docket No. 14303).
- b. Affidavit of Service (Re: related document(s) 14302 Motion to Extend Time filed by Circuit City Stores, Inc. Liquidating Trust filed by Circuit City Stores, Inc. Liquidating Trust) filed by Paula S. Beran of Tavenner & Beran PLC on behalf of Circuit City Stores, Inc. Liquidating Trust. (Beran, Paula) (Filed: 06/30/2021) (Docket No. 14304).
- c. Affidavit of Service (Re: related document(s) 14303 Notice of Motion and Notice of Hearing by Circuit City Stores, Inc. Liquidating Trust filed by Circuit City Stores, Inc. Liquidating Trust) filed by Paula S. Beran of Tavenner & Beran PLC on behalf of Circuit City Stores, Inc. Liquidating Trust. (Beran, Paula) (Filed: 06/30/2021) (Docket No. 14305).

Objection/
Response Due: July 13, 2021

Objections/
Responses None
Filed:

Status: The Liquidating Trustee will request that the Motion be granted.

2. Adversary case 19-03091. Complaint against United States Trustee Program, Clifford D. White, III, John P. Fitzgerald filed by Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust. Nature of Suit: (91 (Declaratory judgment)), (11 (Recovery of money/property - 542 turnover of property)) Associated Bankruptcy Case Number: 3:08-bk-35653 (Tavenner, Lynn) (Filed: 10/09/2019) (Docket No. 1).

Related Relevant Documents:

- a. Motion to Dismiss Pleading (Related Document(s) [1](#) Complaint filed by Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust) filed by Robert B. Van Arsdale of Office of the U. S. Trustee on behalf of John P. Fitzgerald. (Attachments: # [1](#) Exhibit(s) Exhibit 1 # [2](#) Exhibit(s) Exhibit 2) (Van Arsdale, Robert) (Filed: 11/14/2019) (Docket No. 5).
- b. Stipulation and Order - Pre-Trial Conference shall be continued to December 2, 2020, at 1:00 PM for status purposes (Ramirez-Lowe, Suzan) (Entered: 10/08/2020) (Docket No. 22).
- c. Stipulation and Proposed Order By Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust and Between John P. Fitzgerald, Acting United States Trustee for Region 4 on behalf of himself and all named defendants filed by Lynn L. Tavenner of Tavenner & Beran, PLC on behalf of Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust. (Tavenner, Lynn) (Filed: 11/19/2020)(Docket No.23).
- d. Stipulation and Order - Pre-Trial Conference continued to 5/12/2021 at 12:30 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Re: related document(s) [1](#) Complaint filed by Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust) (Ramirez-Lowe, Suzan) (Entered: 03/07/2021) (Docket No. 28).
- e. Notice of Entry of Judgment/Order (Notice of Decision in Siegel V. Fitzgerald (IN RE CIRCUIT CITY STORES, INC.) CASE NO. 19-2240 (4th CIR. APR. 29, 2021) (Re: related document(s) [28](#) Order Continuing/Rescheduling/Setting Hearing) filed by Kathryn R. Montgomery of Office of the United States Trustee on behalf of John P. Fitzgerald. (Montgomery, Kathryn)
- f. Stipulation and Order - Pre-Trial Conference continued to 6/23/2021 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia, (Ramirez-Lowe, Suzan) (Entered: 05/19/2021) (Docket No. 32).
- g. Pre-Trial Conference Continued for status purposes;; (related document(s): [1](#) Complaint filed by Alfred H. Siegel, Trustee of the Circuit City Stores, Inc. Liquidating Trust) Appearances: Kathryn R. Montgomery, Lynn L. Tavenner Pre-Trial Conference set for 07/20/2021 at 11:00 AM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia, (garyl) (Entered: 06/23/2021) (Docket No. 33).

Status: The Liquidating Trustee will provide updated status and request that the Pre-Trial Conference be further continued to allow for further time for submission and

consideration of a Petition for Certiorari to the United States Supreme Court in the related matters pending in the Fourth Circuit Court of Appeals, *Fitzgerald v. Siegel*, Case No. 19-2240 and *Siegel v. Fitzgerald*, Case No. 19-2255.

July 19, 2021
Richmond, Virginia

Respectfully submitted,

**ALFRED H. SIEGEL, SOLELY AS TRUSTEE OF THE
CIRCUIT CITY STORES, INC. LIQUIDATING TRUST**

/s/ Lynn L. Tavenner

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